Appendix B

Piney River Vegetation Project

Response to Comments from Initial Project Scoping Period

On September 6, 2019, the District released a scoping letter seeking comments regarding the Piney River Vegetation Project. Comments from six individuals or groups were received in the form of letters/emails. The following is a summary of the comments, grouped by topic, received pertaining to the scoping letter and an agency response. Comments have been condensed, however, the entirety of each comment is available in the project analysis record. The scoping comments received were used to identify issues and to modify the proposed action and/or generate alternatives which are outlined in Chapter 2 of the Environmental Assessment.

On February 24, 2020, the District released a Draft EA with a cover letter seeking additional comments regarding the modified proposed action and effects analysis. Comments from five individuals or groups were received in the form of letters/emails. A summary of the comments received during the formal 30-day comment period with an agency response is included below after the summary from the initial scoping period. Comments have been condensed, however, the entirety of each comment is available in the project analysis record.

Response to Comments Received During Initial Scoping (September 2019)

General Comments Supportive of the Activities in the Proposed Action

Comment (Chris Hewitt): I am sending this email to show my full support for this project. As an avid user of this area, I see first hand the need for some diversity in the forest structure/age class. The amount of animals seen has steadily dwindled from years past; not only talking about game animals here but simply the number of song birds seen darting along the roads. This area endured a large wildfire several years ago, and I think it should be noted that if there wasn't as much old timber standing that it may not have been as bad or costly.

The GWJEFF forest plan calls for a substantially more amount of Early Successional Habitat on our National Forest than we have. This is not acceptable, and implementing this project will help get things back on track. I urge the planning of this project to secure as much funding as possible right off the bat so it can't be taken away in the future. We are currently adding less than 800 acres of ESH on the GWJEFF NF each year, which puts us so far behind it may be impossible to catch up. Each year that we do not improve, the forest gets to even less healthy levels.

The state of Indiana just listed the Ruffed Grouse as an endangered species and cites lack of habitat as the reason. The worst part of this is there is documentation that shows the forest management knew this was the cause for years yet did nothing about it. I hope that the grouse in VA does not go down the same paths under this staff. The alarms are going off and the science behind sound forest management is very clear and proves a strong point. Old timber benefits such few amounts of wildlife, while ESH is proven to be beneficial to hundreds of species.

Keep up the good work and good forest management practices. It is much, MUCH appreciated by many.

Agency Response: Comment noted

Comment (Jacob Pries, Quality Deer Management Association): On behalf of the Quality Deer Management Association (QDMA), we would like to state our support for the proposed forest management activities under the Piney River Vegetation Project being conducted by the United States Forest Service.

With proper management of our forests being so vital to their successful preservation, it is important to support forest management activities that encourage a diversity of age classes within the forests like the activities being proposed in the Piney River Vegetation Project. The presence of early successional forests along with late successional open canopy forests provides the necessary enhancement of wildlife habitat that will benefit a diverse collection of species including white-tailed deer.
…these forest management activities will help to provide improved access to the lands that are crucial to the continued existence of recreational opportunities by improving parking areas and forest service roads. Hunters are the original conservationists who have continually provided extensive funding to wildlife and habitat conservation efforts. By increasing the accessibility of these lands, you will increase the opportunity for individuals to experience what makes the time-honored tradition so great, thus ushering in the next generation of conservationists. On behalf of the QDMA, we would like to urge you to support this proposal and we thank you for your time on this matter.

Agency Response: Comment noted

Comment (Richard Sprinkle, Virginia Bear Hunters Association): This well thought out and researched project gives the Forest Service the ability to:

1. Reduce the threat of catastrophic wildfire, insect infestation and disease, and to protect municipal watersheds.

2. Remove dead timber to prevent wildfires, creating new revenue to replant and rehabilitate burned forests.

3. Create young and mixed-age forest habitat to support wildlife and to incentivize and fast-track forest projects developed by local collaboratives, usually consisting of conservationists, sportsmen and women including hunters, fishermen and women, wildlife and bird watchers, timber industry and elected officials.

With all of the acres of National Forest in the George Washington and Jefferson National Forests adjoining Roanoke and the surrounding counties, I think it is extremely important that forest management that has been ignored for years be put back on track to restore the health of the forests we have been blessed with.

Agency response: Comment noted.

Purpose and Need Comments

Comment (Kristin Davis, Senior Attorney, SELC): Is all of the proposed management in MPA 13, Mosaics of Wildlife Habitat? The scoping letter provides that proposed actions are "within or adjacent to" MPA 13. We urge the District to propose management in MPA 13 only.

Agency Response: All commercial timber treatments are proposed within management prescription 13. Portions of the prescribed burns occur outside of this management prescription as described in the EA.

Silviculture Comments

Comment (Kristin Davis, Senior Attorney, SELC): What residual basal area does the District anticipate for the commercial thinning units?

Agency Response: Thinning harvest methods may retain 40-90 basal area. Refer to Chapters 2 and 3 in the EA for additional details.

Comment (Wayne Thacker, Rocky Mountain Elk Foundation): On behalf of the Rocky Mountain Elk Foundation, Virginia State Leadership Team, I write to express strong support for the Piney River Vegetation Project. The project description in the 6 September 2019 Scoping notes the clear need for a more diverse forest structure and age-classes to achieve Forest Plan desired conditions (which will restore a more natural dynamic diversity). If there is any way to increase the harvest acreage to create more regenerating young forest, please do so. The proposed eight stands of about 162 acres is meaningful but approaching the 438 acres in open woodlands would further diversify the forest and lead to increased health and resiliency. It will be good to see cove forest acreage set back to early successional growth. The probability of increased moisture will broaden the early successional or regenerating forest habitat range of conditions and meet the needs of additional wildlife species.

The other aspects of this project (e.g., prescribed burns) will diversify forest structure and meet needs of many wildlife species. The project's geographical placement compliments the Panther Mountain project by creating collectively a large mosaic of habitat and forest diversity with the Mt. Pleasant Scenic Area and general vicinity as a more mature growth "backbone".

Agency Response: The project area was initially analyzed for opportunities to diversify the forest structure by reviewing current stand data and completing field common stand exams. The area was then scouted for accuracy and additional opportunities based on the departure between existing conditions and desired future conditions. After a thorough review of ground conditions and internal/external discussion some of the potential harvest acres where reduced due to inaccessibility, inoperability, cultural resources, visual concerns, old growth community forest types, unique natural communities, and an inventoried roadless designation. Commercial timber harvests and prescribe fire provide very different immediate effects to current forest conditions. However, the 1,433 acres of proposed prescribed fire treatments, located in two separate burn

blocks, will aid in diversifying the forest structure over time. Burning these areas on a 2-5 year rotation will move towards the desired future condition by creating open woodland habitat that ultimately stimulates soft mast production and browse while encouraging oak sprouting for future mast production.

Threatened, Endangered, Sensitive and Locally Rare Species Comments

Comment (S. René Hypes, Natural Heritage Project Review Coordinator, DCR):

Harvest Units 1, 8 & 9

Significant natural communities were documented by DCR-DNH within harvest units 1, 8 and 9 during the 2019 field season. An email was sent from DCR-DNH ecologist Kristin Taverna to Daniel Wright, USFS, on September 11, 2019 that included stand and species data and a shapefile of the location of the significant natural communities. To minimize impacts to natural heritage resources, DCR recommends avoiding the documented significant natural communities.

Agency Response: Units 7, 8 and 9 have been dropped from the proposal. Impacts to resources in unit 1 have been analyzed in Chapter 3 of the EA.

Harvest Units 6, 8 & 9

The results of rare insect surveys in harvest units 6, 8 and 9 conducted by DCR-DNH zoologists during the 2019 field season are still pending and will be provided to USFS upon completion. There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity. Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

Agency Response: Comment noted. Units 8 and 9 have been dropped from the proposal. Impacts to resources in unit 1 have been analyzed in Chapter 3 of the EA.

Comment (Darrel Feasel, James River Chapter Ruffed Grouse Society President): In regards to the planning effort for the Piney River Vegetation Project, I would support any effort that creates a healthy forest habitat for Ruffed Grouse, American woodcock and other wildlife. I hope this project will create, enhance and protect early successional forest habitat. Early successional forest habitat also benefits other species such as deer, turkeys and over forty species of song birds that need early successional forest for survival.

Agency Response: Comment noted

Water/Riparian Resources Comments

Comment (S. René Hypes, Natural Heritage Project Review Coordinator, DCR): According to the information currently in our files, the Crabtree Creek Stream Conservation Unit is located within the project site. Stream Conservation Units (SCUs) identify stream reaches that contain aquatic natural heritage resources, including 2 miles upstream and 1 mile downstream of documented occurrences, and all tributaries within this reach. SCUs are also given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain. The Crabtree Creek SCU has been given a biodiversity ranking of B3, which represents a site of high significance. The natural heritage resource associated with this site is:
Aquatic Natural Community (NB-Middle James-Buffalo Second Order Stream
G2G3/S2S3/NL/NL
The documented Aquatic Natural Community is based on Virginia Commonwealth University's INSTAR (Interactive Stream Assessment Resource) database which includes over 2,000 aquatic (stream and river) collections statewide for fish and macroinvertebrate. These data represent fish and macroinvertebrate assemblages, instream habitat, and stream health assessments. The associated Aquatic Natural Community is significant on multiple levels. First, this stream is a grade A, as per the VCU-Center for Environmental Sciences (CES), indicating its relative regional significance, considering its aquatic community composition and the present-day conditions of other streams in the region. This stream reach also holds as a "Healthy" stream designation as per the INSTAR Virtual Stream Assessment (VSS) score. This score assesses the similarity of this stream to ideal stream conditions of biology and habitat for this region. Lastly, this stream contributes to high Biological Integrity at the watershed level (6th order) based on number of native/non-native, pollution-tolerant/intolerant and rare, threatened or endangered fish and macroinvertebrate species present.

Threats to the significant Aquatic Natural Community and the surrounding watershed include water quality degradation related to point and non-point pollution, water withdrawal and introduction of non-native species. To minimize adverse impacts to the aquatic ecosystem as a result of the proposed activities, DCR recommends the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations, establishment/enhancement of riparian buffers with native plant species and maintaining natural stream flow.

Agency Response: Refer to the Hydrology / Soils and Aquatic habitats sections in Chapter 3 of the EA.

Soil Comments

Comment (Kristin Davis, Senior Attorney, SELC): To avoid and reduce erosion and sedimentation risks from the project, the District should avoid ground-based logging on area with steep slopes and high erosion-hazard soil types. We urge the District to use GIS data as a "first filter" to help avoid ground-based logging in areas with steep slopes and high erosion-hazard soil types, which risk erosion and sedimentation of creeks and rivers. Pairing the USGS' Digital Elevation Model with NRCS' Soil Survey Geographic Database early in the process can provide particularly useful information about proposed areas that may have an elevated erosion risk and

thus may require additional mitigation. This awareness affords the option, early in the process and without significant time and labor in the field, to avoid potentially problematic areas.

Agency Response: Refer to Chapter 3 of the EA and the Hydrology / Soils report for analysis and maps regarding soil type, slope and project activities.

Recreation and Scenic Resources Comments

Comment (Norman Sykora, Assistant Supervisor of Trails, Natural Bridge Appalachian Trail Club): The Natural Bridge Appalachian Trail Club (NBATC) has concerns about the visual impact of units 1, 7, and 8. Unit 1, east of the North Fork of the Piney River, is in the middle viewshed, possibly the foreground viewshed, from the A.T. Units 7 and 8 are in the distant viewshed and on the north side of Pompey Mt. and possibly visible from the A.T. NBATC wishes to make an on site inspection during leaf off and reserve the right to comment again based on this inspection. NBATC has no concerns or comments on the other units within the project.

NBATC would like to know detailed plans for the proposed improved dispersed parking at Hog Camp Gap and the Mt. Pleasant National Scenic Area parking areas. I have made random weekend counts of vehicles parked at those sites and have counted 20, 40, 50 and even 84 vehicles parked there and along FS 48 and 51. I did not notice any problems such as vehicles being blocked or driving and parking on vegetation. We would like to know of placement, size of accommodation, surface, etc. There is concern for the necessity and feasibility of expanded parking.

Agency Response: Thank you for your comment and your follow up comment provided on Friday January 24, 2020 that stated "On January 23, Dave Benavitch, Bill Cummins, and I made a leaf off visual analysis of unit 1 of the Piney River Vegetation Project due to its close proximity to the Appalachian National Scenic Trail. We made several careful observations from the A.T. and from the Wolf Rocks view point just off the Trail. We determined that at no point would there be a negative visual impact on the A.T. Therefore, NBATC has no concerns or objections to the proposed Variable Retention Harvest prescription of unit 1, nor any of the other units as previously noted in our earlier communication."

Based on your observations and the visual analysis included in Chapter 3 of the EA, visual impacts to the Appalachian National Scenic Trail will be negligible.

Comment (Trudy Phillips, NBATC): Unit 7 of the proposed timber harvests is visible from the two open areas on Tar Jacket Ridge. Attached are several printouts. This also includes the Unit 8 view.

Unit 8 of the proposed timber harvests is very close to the Henry Lanum loop trail. It will likely be visible during the winter at leaf-off from the ridge line trail. Printout attached.

The proposed prescribed burn at Crabtree Meadows appears to be using the A.T. as the fire line. But the A.T. shown on the map is not where the A.T. now exists. A large switchback was added to reduce the grade on a section just north of Cash Hollow road. Map attached.

What are the USFS plans for A.T. hikers during the Crabtree Meadows burn? Many day hikers will want to continue to hike the Priest from VA 56. But since FS 263 (Shoe Creek Gap road) and the A.T. south of Shoe Creek Gap will be part of the fire lines, hikers probably should not go south of the Priest shelter. This is a very popular section of trail and the VA 56 A.T. parking lot is usually at least half full even mid-week.

Agency Response: Proposed harvest units 7, 8, 9, 10 and Timber Stand Improvement (TSI) unit 1 have been dropped from the proposal. Prior to the prescribed burn activities public notification will be provided and the Ranger District will coordinate with both the Appalachian Trail Conservancy and the local trail club to reduce impacts to hikers.

Comment (Connor McBane, Appalachian Trail Conservancy): The Old Field Mechanical Habitat Enhancement block right below Tar Jacket Ridge that borders the S Fork of the Piney River is great. I know the A.T. Tar Jacket Ridge opening is outside of the Piney River Project area, but it would be great to enhance some views along that section of trail between the A.T. and the treatment area. Is this work involving a dozer, skid steer, or just felling? If possible it would be nice to double the use of any equipment and potentially do some A.T. enhancement. We should get on the ground and look at how some of the views from Tar Jacket and Cole Mountain might be impacted from the timber harvests. Block 7 and 8 could potentially be visible from Tar Jacket. I'm not sure if any blocks would be visible from Cole Mountain only because the Mount Pleasant area blocks your views to the Northeast. Increasing current open edge would only be a temporary impact, but as much as possible, it would be good to feather edges in sight of the A.T. and if we can avoid a massive dirt landing pad in places that are visible from the A.T. that would be great.
Both prescribed burn blocks are within the A.T. corridor near Salt log Gap and Cash Hollow. I think the NBATC will have a good plan for the best way to close these sections of the A.T. off and could provide shuttles. Tye River to Salt Log Gap closure would be the easiest shuttle, but you could always use Cash Hollow or Spy Rock Rd as closure points too. My only concern for the prescribed burns is the fact that the A.T. will be the fire line for the Cash Hollow burn block. Do you plan on doing any vegetation or soil manipulation along the A.T. near Cash Hollow or are you going to just run the fire to/from the trail?
It is good to see that you all will be improving the parking area for the Old Hotel Trail and Hog Camp Gap. Selfishly, I'm happy that the road is in bad shape because it limits use somewhat, but I know visitors will enjoy road and parking area improvements. We should probably look at what kind of signage is currently there so that we can continue to educate visitors while we are increasing capacity for more visitor use--What visitor use issues do we currently have, and what issues will be made worse if we add more people to the mix? ATC staff can work with Dave Whitmore and NBATC on any signage improvements (if needed) at Hog Camp Gap and Cole Mountain.

Agency Response: Proposed harvest units 7, 8, 9, 10 and Timber Stand Improvement (TSI) unit 1 have been dropped from the proposal. The Crabtree Meadows prescribed burn would utilize a

portion of the Appalachian Trail as a control line. No soil disturbance would occur along the trail and only minor brushing would occur where needed as fire would be allowed to back away from the Trail. In order to prepare the Trail for a control line, leaf blowers would be utilized.

Comment (Laura Neal): I have been visiting Hog Camp Gap for almost 30 years ?-at all times of year, all days of the week, and under many different weather conditions. Understandably, this has always been a popular destination. Like many other exquisite and easily accessbile locations on the GWJeff, it has seen a steady increase in visitation?-sometimes there are so many cars that it seems like an explosion. Folks come to hike the loops and the AT, and to camp in the lovely open grounds that are an easy walk from their vehicles.

I am sure that you are aware of the hundreds of humans who visit.

Hog Camp Gap is in desperate need of a privy.

There are so many pros and cons, and I understand both sides, I believe. For instance the construction of a standard USFS SST would be expensive, require expensive maintainance, and serve as a dumping location for more trash. Plus it would probably result in increased visitation as the availability of a restroom would bring in more groups whose destinations require a facility. More vehicles and more people and more of their refuse could lead to more complaints about the road, more erosion, and further undesirable human impacts on the whole area. It is most confounding that the greater recreational use of the Forest comes at a time when budgets have collapsed.

So I would like to urge you to consider constructiom of a basic privy, or two?-one each at the Henry Lanum trailhead, and one in the Gap, such as those constructed by the Natural Bridge Appalachian Trail Club. I understand their prescence would invite trash disposal. Perhaps they could be down a short path and a bit out of the way.

Surely there Is grant money available for protection of water resources. And I know it takes money to get money. But wow, I visit many locations on our beautiful Forest, and this place needs a privy!

Additionally, I see that you are planning on improving dispersed parking at both locations. I am not sure exactly why as vehicles seem to manage just fine pulling off the road. It doesn't seem that this way of parking damages any natural resources. I hope that improving does not mean expanding the width of the road or compacting soil anywhere and adding gravel.

Agency Response: Thank you for your comment. This proposal does not include the addition of a privy. Refer to the EA for a description of the minor parking improvements.

Road Comments

Comment (Kristin Davis, Senior Attorney, SELC): Our 2014 Forest Plan GIS layers indicate that a portion of the Mt. Pleasant Inventoried Roadless Area (IRA) is within the project area—specifically, the area between the northern edge of the Mt. Pleasant NSA and FS road 1167. See

attached maps. This area is allocated to Management Prescription Area (MPA) 13, Mosaics of Habitat, and the District is proposing commercial harvest (units 7, 8, and 9) and temporary road construction to units 1 (timber stand improvement) and 8 in this area. Has the District reviewed IRA maps of this area?

We are eager to address this issue with you since the Forest Plan requires all IRAs to be managed consistent with the 2001 Roadless Rule, which prohibits logging and roadbuilding. In SELC's administrative appeal of the 2014 Forest Plan, we raised that our GIS analysis indicated relatively small slivers of IRAs that were allocated to management prescriptions not consistent with the 2001 Roadless Rule, including Mosaics of Habitat, Concentrated and Dispersed Recreation, and Utility Corridors. We suspected these discrepancies resulted from anomalies in the GIS data and recommended that the Forest identify those areas. If that has not occurred, the Forest and District need to do that now and correct any such mapping errors, to ensure that all IRAs are accurately identified and managed properly.

Agency Response: Proposed harvest units 7, 8, 9, 10 and Timber Stand Improvement (TSI) unit 1 have been dropped from the proposal.

Non-Native Invasive Plant Species Comments

Comment (Kristin Davis, Senior Attorney, SELC): What are current NNIS levels in the project area?

We urge the District to avoid proposing management that is likely to exacerbate existing infestations or lead to new infestations, particularly in characteristic, native, relatively healthy forest. The District needs to control existing infestations and commit to necessary mitigation measures, including post-harvest assessments and treatment of NNIS. We urge the District to commit to seeding temporary roads, skid trials, and landings with native, non-invasive grass-forb mixture.

Agency Response: Refer to the Non-Native Invasive Plants section in Chapter 3 of the EA. In regards to revegetation the following Forest –wide standard would be followed: FW-93: Favor use of native grasses and wildflowers beneficial as wildlife foods when seeding temporary roads, skid roads, log landings and other temporary openings when slopes are less than 5%. On slopes greater than 5%, favor use of vegetation that best controls erosion, Forest Plan p. 4-9.

Monitoring and Adaptive Management

Comment (Kristin Davis, Senior Attorney, SELC): The District should outline goals and quantifiable objectives for project activities and set forth a plan for monitoring their outcomes to assess whether and to what extent they were met. For example, for timber harvest, there should be specific objectives for desired forest structure and species composition and those elements should be monitored.

Agency Response: Refer to the monitoring section in Chapter 2 of the EA.

Old Growth

Comment (Kristin Davis, Senior Attorney, SELC): We strongly urge the District to protect all existing old growth forest identified in the project area. The Southern Region "recognizes old-growth forests as a valuable natural resource worthy of protection, restoration, and management" for its various biological and social values. The network of large, medium, and small patches of old growth is intended to provide the ecological integrity of old-growth communities, representation of all old growth forest community types, distribution of these patches and types across the landscape, and connectivity between the old growth patches.
…
Given the rarity and importance of old growth forest in the Southern Appalachians and the little existing old growth forest that has been identified in the field on the GW, we firmly believe that any existing old growth should be protected and not logged. This seems particularly necessary given that the GW has no forest-wide, field-verified existing old growth inventory. As a result, piecemeal, project-by-project surveys are the only means for identifying existing old growth on the Forest. And given the notorious unreliability of both stand age and stand type within FSVeg data, actual existing old growth, once inventoried on the ground, is likely to be significantly less than the pool of possible old growth. In light of all this, it seems particularly appropriate to protect any existing old growth that is identified. Conversely, logging existing old growth based on unverified assumptions about its existence elsewhere seems contrary to the evidence before the agency regarding the significance and rarity of old growth conditions. This would be very difficult to justify, especially without an EIS.

Agency Response: Please refer to the Old Growth effects analysis section in Chapter 3 of the EA

Prescribed Fire

Comment (Kristin Davis, Senior Attorney, SELC): The District should consider structural changes likely to result from the proposed prescribed burn. For example, recent analysis of fire effects monitoring on the GWJNF indicates prescribed burns led to 5% ESH on the North Zone, 7%ESH on the Eastern Divide, and 3% ESH on the South Zone. The District should consider how to estimate fire effects for this project.

Agency Response: The 1,433 acres of proposed prescribed fire treatments, located in two separate burn blocks, have differing objectives. These burn blocks were developed as a result of database reviews, field visits and internal/external discussions. The objective of the smaller Crabtree Meadow burn is to maintain approximately 20 acres of high elevation old field habitat containing grass forb native pollinator vegetation, dogwood, crab apple, persimmon, big tooth aspen and other species requiring semi-open conditions. This unique high elevation habitat is at risk due to encroaching vegetation and requires manipulation and management. Control lines where selected to minimize ground disturbance by utilizing surrounding existing roads and trails. The objective of the larger forest interior Brush Mountain burn is to diversify the forest structure over time. Burning these areas on a 2-5 year rotation will move towards the desired future condition by creating open woodland habitat that ultimately stimulates soft mast production and browse while encouraging oak sprouting for future mast production. It is

expected that these fire treatments will also maintain, restore and enhance native forest communities to ensure the presence of fire-dependent species and ecosystems. The control lines once again were selected to minimize soil disturbance by utilizing existing roads and streams as control lines. In doing so, a small portion of the proposed burn is located within RX 7B and RX 4A.

Ecological Restoration

Comment (Kristin Davis, Senior Attorney, SELC): In selecting proposed units, has the District prioritized the most ecologically degraded areas, where the greatest level of agreement and support is likely, (e.g., pine plantations or other uncharacteristic forest that departs from expected ecosystem characteristics; restoring diversity of structure and species in early- or midsuccessional stands logged relatively recently). If not, we urge the District to do so. To be clear, we do not believe all proposed activities must qualify as "ecological restoration"; other activities may be proposed primarily to advance silvicultural, habitat, or other goals.

Agency Response: Chapter 1 of the Piney River Vegetation Project Environmental Assessment outlines the Purpose and Need for the Proposed Action. The Proposed Action for mechanical treatments was created to meet the desired condition, as stated in the Forest Plan, for Management Area Prescription 13 – Mosaics of Habitat. The proposed Action in regards to prescribed burn activities was created to meet the desired conditions for Management Prescriptions 13, 4a and 7B. The project area was initially analyzed for opportunities to diversify the forest structure by reviewing current stand data and completing field common stand exams. The area was then scouted for accuracy and additional opportunities based on the departure between existing conditions and desired future conditions. After a thorough review of ground conditions and internal/external discussion some of the potential harvest acres where reduced due to inaccessibility, inoperability, cultural resources, visual concerns, old growth community forest types, unique natural communities, and an inventoried roadless designation. Commercial timber harvests and prescribe fire provide very different immediate effects to current forest conditions and associated wildlife. Several harvest units were originally targeted for silvicutural treatment due to the proximity of existing high elevation old field habitats. Golden-winged warblers are declining and have historically been observed in the surrounding project area. However, primarily due to lack of diverse age class forests near old field environments this species has not been observed in the project area in recent years. Golden-Winged warblers nest in shrub habitat and breed in young forests, but fledglings move among forest stands of varying ages. To maximize golden-winged warbler breeding habitat approximately 15 percent of the forest landscape should be in young forest condition. The harvest units located closest to existing high elevation old field habitat were removed from the proposal due to the above listed rationale.

Response to Comments Received During Formal 30-Day Comment Period

(February 24, 2020 to March 25, 2020)

Comment (Wayne Thacker, RMEF): The Rocky Mountain Elk Foundation Virginia State Leadership Team strongly supports the Piney River Vegetation Project, especially management actions to diversify the forest. We recognize the limitations this project faces with respect to regenerating young forest creation (as detailed in the Draft EA). The proposed 95 acres will help diversity the project area and move the forest toward greater health and resiliency while providing habitat for hundreds of wildlife species who depend on young forest or early succession growth for survival. However, given the small and steadily decreasing amounts of this forest stage across the GW NF and in the project area (less than 1%), please consider any viable option to increase regenerating young forest timber harvests in this and future projects through even-aged harvest methods.

The entire GWJEFF is losing critical diversity by the thousands of acres per year as long as we do not implement regenerating young forest timber harvests as per the GW Forest Plan (1,800-3,000 acres per year). We appreciate this landscape scale project which will help diversify and create more natural forest conditions on a well used portion of the GW.

Agency Response: Comment noted.

Comment (Richard Sprinkle, Virginia Bear Hunters Association): The Virginia Bear Hunters Association definitely supports the Piney Mountain Project. Previous forest plans have four objectives which are to be used to measure how well management actions achieve the goals and desired conditions for forest management. These four primary objectives are:

1. Maintain a minimum of ten percent of the prescription area in early successional forest habitat.

2. Maintain a minimum of ten percent of the area in late-successional or oldgrowth forest conditions.

3. Maintain up to 2 percent in early successional forest habitat conditions in openings 2 to 5 acres in size.

4. Maintain an open road density at or below 1.5 miles per square mile of National Forest System roads.

The National Forest needs work done responsibly to promote the above goals but seems to be falling further behind in actual work being done. Anything that can be done to accomplish and promote the health and welfare of the forests we have been blessed with has the VBHA's continued support and wishes for success.

Once again we appreciate the opportunity to be involved in this process and best regards.

Agency Response: Comment noted.

Comment (Chris Hewitt): I am sending this email to show full support for this project. Our national forest are in dire need of ESH and this project is a good start. I am an avid user of this area and I have watched the forest age over the years into bare hardwoods. The amount of wildlife is declining and obvious to anyone who uses the area with frequency. If you look at the amount of young forest created in the past 10 years on the GWJEFF NF, it is embarrassing. We are getting so far behind it will be hard to catch up! This ranger district can lead the way in forest management and this project is a start.

Agency Response: Comment noted.

Comment (Kristin Davis, SELC): As an initial matter, it is far from clear that the proposed management in old growth patches will provide any benefit to the cerulean warbler. The Draft EA simply posits that thinning existing old growth "can advance stands towards a late-open successional structure that benefit[s] many avian species including Cerulean warblers."4 However, whether this management will have a beneficial effect is more complex that the Draft EA acknowledges. A 2013 report by researchers from various agencies and institutions, including the Forest Service, identified several habitat characteristics that cerulean warblers prefer:

• "Ceruleans will use relatively small forest patches (~25 ac), but typically in landscapes that are primarily forested (e.g. > 75% forest cover within ~6 miles of the project area)."5
• "Ceruleans are often associated with canopy gaps and also use internal forest edges including . . . edges of small timber harvests . . . . However, they are less abundant near abrupt or 'hard' edges between forest cover and large expanses of open land . . . . In southern West Virginia, for example, cerulean abundance decreased near mountaintop mine edges and in northern West Virginia, they avoided edges of a large powerline right-of-way that was ~75 feet wide."6
• "In the Appalachians, cerulean primarily occur along ridges and steep, upper slopes and appear to cluster near areas of local relief such as knobs and bluffs."7

• "Within ridge top forests, cerulean often favor mesic, north- and northeast-facing slopes, although other aspects are used."8

Some of these habitat preferences suggest that the proposed action will provide no benefit to cerulean warblers. For example, cerulean warblers may use forest stands around 25 acres in size, but the old growth patches proposed for management range between 5 and 15 acres.9 The problem of stand size is particularly noticeable in Units 3 and 6, because the old growth patches in those units will be islands of mature forest surrounded by regeneration harvest.10 Relatedly, the District should assess whether the surrounding regeneration harvest will leave "hard edges" that actually deter cerulean warblers.11

If the District desires to create favorable habitat for cerulean warblers, it should first consider whether a no-action approach would yield better results. Cerulean Warbler: Management Guidelines for Enhancing Breeding Habitat in Appalachian Hardwood Forests notes that "[o]ld growth forests naturally develop a more open and complex canopy structure, as well as multi-layered shrub and mid-story layers," so the proposed management may be unnecessary altogether.12 At a minimum, before management designed to help the cerulean warbler, the District must consider the factors relevant to creating attractive habitat, including at least stand size, forest structure, and forest density across the landscape.13

Agency Response: Cerulean warblers are known to exist in the project vicinity and discussed in the TESLR section of the Draft EA in recognition of the purpose and need for Late Successional Open Canopy Forests per the Forest Plan. There are opportunities to use forest management practices to mimic the structure and natural disturbance regime of old-growth forests to enhance habitat for Cerulean Warblers. Thinning harvest methods, which retain 40-90 basal area, and group selection harvest methods, which both favor oak species, may provide for a diverse canopy and understory structure that can advance stands toward a late open successional structure that benefits many avian species. The variable retention harvest method (thinning) proposed for Units 1 and 2 and will generally improve conditions for Ceruleans across approximately 38 acres. Not all the remaining proposed regeneration units contain suitable or preferred habitat for Ceruleans.

It is expected that prescribed fire will back with low intensity through the rich cove of hardwoods, therefore not disturbing the mating and nesting habitat used by Ceruleans. Any potential tree mortality caused by fire would enhance habitat opportunities for the cerulean warbler, as they prefer mature and well-developed hardwood crowns. Additionally, crop tree release is a forestry practice that can impact habitat suitability for Ceruleans by accelerating the growth of dominant oak stems. However, the impact on Ceruleans and suitable habitat would not be immediate (Wood, P.B. et al. 2013. Management guidelines for enhancing Cerulean Warbler breeding habitat in Appalachian hardwood forests. American Bird Conservancy. The Plains, Virginia. 28pp).

A 2013 report by researchers from various agencies and institutions, including the Forest Service, identified several habitat characteristics that cerulean warblers prefer, which are mentioned above. These habitat characteristics are largely present within Units 1 and 2 and align with the preferred thinning harvest methods. This report titled "Cerulean Warbler Management Guidelines for Enhancing Breeding Habitat in Appalachian Hardwood Forests" was referenced and is listed in the literature cited section of the Draft EA.

Comment (Kristin Davis, SELC): As we discussed on our March 10 phone call, however, we are troubled by the District's proposal to carry out commercial timber harvest via thinning in three patches of existing old growth. As we mentioned on the call, this is the first project since the new Forest Plan that takes the drastic step of proposing to cut verified, existing old growth. For reasons detailed below, any harvest of old growth raises serious concerns. We also reiterate our request that the District provide the old growth tally sheets for the project, which we need to evaluate the project.1 Once that information is made available, we will likely have additional comments to share with the District.

We strongly urge the District to avoid cutting any existing old growth to create late successional open canopy forest. If the District desires to use silviculture to open up the canopy (instead of or in addition to prescribed fire), it should do so in late-closed forest, which is abundant across the GWJNF. To do so by cutting old growth would squander a scarce resource.

It is critical to remember that old growth, which actually exists on the ground, is not the same as "possible old growth" estimated in the Forest Plan. The GW has no forest-wide, field-verified existing old growth inventory. Instead, during forest planning, the Forest Service's estimated existing and possible old growth, as well as acreage objectives for different old growth types. These estimates were based on the agency's stand database (FSVeg), not on-the-ground field inventories. In this inventory, FSVeg forest types were aggregated into old growth forest community types (OGFT), as described in the Regional Guidance, and those stands meeting the minimum age were identified as possible old growth. This was "an initial screen and inventory" only and most of the possible old growth "[was] not visited to verify the existence of old growth[.]" On-the-ground verification occurs only at the project level.

The major lack of verified existing old growth is one reason why we would greatly prefer not to see late-open conditions created out of existing old growth. In light of all this, it seems particularly appropriate to protect any existing old growth that is identified. Conversely, logging existing old growth based on unverified assumptions about its existence elsewhere seems contrary to the evidence before the agency regarding the significance and rarity of old growth conditions. This approach creates the risk that rare old growth on the District will be logged based on predicted amounts of old growth forest-wide, only for later discovery that the predictions were inaccurate. As discussed below, this would be very difficult to justify, especially without an EIS.

Agency Response: The old growth tally sheets are available on the project website (https://www.fs.usda.gov/project/?project=56770). For details regarding the methodology and results of the analysis, please refer to the old growth section in Chapter 3 of the EA. The old growth analysis for this project mirrored the methodology of the old growth analysis completed for the Forest Plan. This approach outlines existing, possible and future old growth categories based on Forest Plan management prescriptions, as well as on the ground survey work that was completed within identified treatment units and FSVeg data.

Comment (Kristin Davis, SELC): The Draft EA does not satisfy the requirements of the Forest Plan and thus violates NFMA. The Forest Plan aims to ensure that the GW has a network of old growth areas, consisting of a mix of large, medium, and small patches embedded in a forest matrix dominated by mid- and late-successional forest where old growth areas are generally interconnected by mature forest.

As described above, the Plan does this by estimating possible and future old growth, as well as acreage objectives for different old growth types. Based on these figures alone, the Forest Service concluded that there are about 245,000 acres of possible old growth in the GW, including around 151,000 of OGFT 21 (Dry-Mesic Oak) and 17,000 acres of OGFT 25 (Dry & Dry-Mesic Oak-Pine). While the Forest Service concluded that these two old growth forest community types (and only these two) are generally well-represented, it cautioned "there are

specific forest types within this broader community classification that are not well-represented."

In light of the foregoing, the Forest Plan requires site-specific analysis at the project level before any OGFT 21 or OGFT 25 may be harvested. The Plan does not identify which specific forest types are not well-represented, a fact that we raised in our administrative appeal of the Plan. Accordingly, the District must ascertain this now. The District must also determine whether the specific forest types proposed for harvest are well-represented and whether those patches contribute to the matrix of large, medium, and small old growth patches. The Plan requires this analysis to include discussion of old growth characteristics found in the area, the effect of the proposed harvest on these characteristics, and the effect the action will have on the contribution of the area to the Forest's old growth inventory. In short, the District can thin existing old growth only if it demonstrates during project analysis that the old growth in question does not contribute to the Forest old growth inventory.

Ultimately, the Forest Service provided the following in its Forest Plan Clarification Letter ("Clarification Letter"): The Plan allows existing old growth within Old Growth Forest Type . . . 21 Dry-Mesic Oak Forest and Type 25 Dry & Dry-Mesic Oak-Pine Forest to be considered for timber harvest, following certain analysis required by the Plan. Any such analysis will include consideration of the contribution of identified patches [of old growth] to the representation, distribution, and abundance of the specific forest type within the old growth community classifications and the desired condition of the appropriate prescription. These decisions will be part of the project-level analysis and subject to public involvement.

We need an understanding of this information and more site-specific information, including the old growth tally sheets, to evaluate the consequences of the proposed action. To that end, we recommend that the District provide the required analysis and re-open the comment period on the limited issue of the proposed harvest of old growth. Unless the District makes the necessary old growth analysis available to the public and provides an opportunity for further public comment, NEPA will not be satisfied.

<u>Agency Response</u>: Please refer to the old growth section in Chapter 3 of the EA for additional details regarding the methodology and results of the analysis. As directed by the Forest Plan (via the clarification letter signed in July of 2015) any proposal to manage old growth will consider the contribution of identified patches to the representation, distribution, and abundance of the specific forest type within the old growth community classifications and the desired condition of the appropriate prescription. The Forest Plan does not specify the precise criteria for the adequate representation, distribution, and abundance of all specific forest types within old growth forest community types 21 and 25 community classifications at relevant scales; therefore, those issues are to be resolved at project level analysis. The analysis approach for the Piney River project intends to determine the effects from the proposed management of old growth forest community type 21 within the analysis area.

The Little Piney River-Piney River 6th-level watershed was utilized as the boundary for the project area. Existing, possible and future old growth categories were determined based on Forest Plan management prescriptions, as well as on the ground survey work that was completed within identified treatment units and FSVeg data. Old growth calculations for

existing, possible and future acreages were then grouped by old growth forest community type and forest type. The aim of this analysis was to quantify the relative amounts of existing, possible and future old growth in the project areas as to allow for comparison between the existing resources and the proposed action's effects to old growth. The Piney River project area is largely surrounded by future old growth resources, is a rather small project on the landscape and proposes to thin, not regenerate, units which contain small patches of old growth. Based on these project specific factors we found this approach prudent for this specific project. The Forest Service discussed the approach and analysis with all interested parties who provided comment regarding old growth for the Draft EA or during scoping.

Comment (Kristin Davis, SELC): The Draft EA fails to take a "hard look" at the effect that the proposed action would have on old growth on the GW. NEPA requires the Forest Service to take a "hard look" at the environmental impacts of its proposed actions. EAs "shall include brief discussions . . . of the environmental impacts of [a] proposed action."The discussion and analysis of the environmental impacts "must provide sufficient information and detail to demonstrate that the agency took the required 'hard look' at the environmental consequences of the project before concluding that those impacts were insignificant."41 This "hard look" must include "some quantified or detailed information" supporting the conclusions of the EA.42 These "hard look" requirements serve two primary purposes: (1) they insure that the agency carefully will consider the effects of its actions on the environment, and (2) they insure that the public and other agencies will be able to analyze and comment meaningfully on the proposal

The Draft EA has two striking deficiencies. First, the analysis does not amount to a "hard look" for the same reason it violates the Forest Plan: because it skips the required analysis. Second, the Draft EA unreasonably relies on FSVeg data about possible old growth to assess the impact that the proposed action will have on old growth across the GW. However, FSVeg-documented possible old growth is not a proxy for existing old growth and relying on the assumption that acres of possible old growth will translate into existing old growth upon field review for a project is flawed. Given the notorious unreliability of both stand age and stand type within FSVeg data, actual existing old growth, once inventoried on the ground, is likely to be significantly less than the pool of possible old growth. Not only is the FSVeg data not equivalent to an old growth field survey, the data is not even comparable to a rudimentary, rapid assessment of a site for old growth conditions. The database also contains little or no information on one of the four old growth criteria: degree of evidence of human disturbance.

Agency Response: The old growth analysis for this project is consistent with the methodology outlined in Appendix B of the Forest Plan, as well as the Forest Plan clarification letter signed in July of 2015, and guidance provided by Region 8. Please refer to the old growth section in Chapter 3 of the EA for additional details regarding the methodology and results of the analysis.

Comment (Kristin Davis, SELC): Finally, the Draft EA cannot support a FONSI. Once the District conducts the required old growth analysis, it may be possible to determine whether a FONSI will be defensible. For now, however, we are seriously concerned that the District cannot lawfully approve commercial timber harvest of old growth without preparing an EIS. Under NEPA, significance depends on context and intensity. Intensity, in turn, requires consideration of several factors including: "[u]nique characteristics of the geographic area," the degree to which

effects are likely to be "highly controversial," and "[t]he degree to which the action may establish a precedent for future actions with significant impacts or represents a decision in principle about a future consideration."

Here, those factors indicate that the proposed action would be significant. Old growth is a unique resource that is irreplaceable on a human time scale. Moreover, this project is likely to be precedent-setting with respect to harvest of old growth on the GW; this is the first projecting proposing commercial harvest of old growth by any method since Plan Revision. If the District insists on management within these patches of old growth, it should consider whether thinning from below or another less intensive silvicultural prescription that avoids cutting the older trees would be appropriate and would allow the District to avoid preparing an EIS. We would be happy to discuss such options with the District.

Agency Response: Please refer to the old growth section in Chapter 3 of the EA for additional details regarding the methodology and results of the analysis. A variable retention harvest, as prescribed, allows for more options in a varied stand than a thin from below. With a "thin from below" method, the smallest trees are harvested first, increasing in size until the stand reaches the prescribed density, resulting in a more uniform stand density. A variable retention harvest as prescribed here is most similar to a "free thinning", but rather than targeting a specific density for retention, this method prescribes a larger range of 40-90 square ft/acre. The proposed method allows for increased flexibility and site specificity considering tree species, health, and proximity in the stand. This method is intended to provide a more diverse stand, with a greater emphasis placed on retaining longer-lived species such as white oak, chestnut oak, or hickory, rather than a specific tree diameter.

Comment (S. René Hypes, Natural Heritage Project Review Coordinator, DCR): According to the information currently in our files, the Priest Conservation Site is within the northeastern proposed prescribed fire unit and old-field habitat enhancement area as identified on the modified project map. Conservation sites are tools for representing key areas of the landscape that warrant further review for possible conservation action because of the natural heritage resources and habitat they support. Conservation sites are polygons built around one or more rare plant, animal, or natural community designed to include the element and, where possible, its associated habitat, and buffer or other adjacent land thought necessary for the element's conservation. Conservation sites are given a biodiversity significance ranking based on the rarity, quality, and number of element occurrences they contain; on a scale of 1-5, 1 being most significant. The Priest Conservation Site has been given a biodiversity significance ranking of B2, which represents a site of very high significance. The natural heritage resources of concern at this site is:

Central Appalachian High-Elevation Seepage Swamp (Hemlock - Yellow Birch Type) G2/S1/NL/NL

To minimize impacts to natural heritage resources from the proposed treaments, DCR recommends avoiding the documented significant natural community.

Agency Response:

Through cooperative agreements between the Forest and VDNH and WVNHP, Special Biological Areas have been identified and delineated on the Forest. These include rare and significant natural communities and vegetative types, and reflect current knowledge of the location, management, and protection needs of rare species and associated significant natural communities on the Forest. These areas are identified in the George Washington Forest Plan as Management Prescriptions 4B-Research Natural Areas, 4C1-Geologic Areas, 4D-Botanical - Zoological Areas (Special Biological Areas) and in a supplemental report from VDNH, dated July 2000, which identifies additional areas for consideration as Special Biological Areas. Based on proposed project location, these Special Biological Area reports were reviewed as part of this analysis. As a result of this review, it was determined that the proposed Crabtree prescribe burn and old field enhancement work is partially located within the Upper Crabtree Creek SBA. A terrestrial natural community exhibiting high elevation swamp/seepage (hemlock/yellow birch type) characteristics is present. Historically, two locally rare plant species have been observed. Highland Dog-hobble and Bog willow-herb were last observed in 1950 and 1968.

The control lines for the proposed burn unit will consist of existing roads and trails, therefore no ground disturbing activities will be necessary. Fire intensity is expected to be very low or non-existent in the riparian areas where the yellow birch, hemlock and aquatic resources are present. No negative impacts are expected.

Comment (S. René Hypes, Natural Heritage Project Review Coordinator, DCR):

Harvest Unit 1

A significant Montane Oak-Hickory natural community was documented by DCR-DNH within a portion of Harvest Unit 1 and within the prescribed fire unit during the 2019 field season (see Figure 1). Due to the potential impacts from these proposed treatments, DCR recommends avoiding the documented significant natural community.

Agency Response: The significant Montane Oak-Hickory natural community polygon overlaps approximately 1.2 acres of the proposed Unit1 harvest polygon in the southeast corner of Unit 1. The majority of the 1.2 acre area consists of an existing open road corridor and saddle feature containing grass/forb conditions. The same significant Montane Oak-Hickory natural community polygon overlaps approximately 6.5 acres of the proposed 1,240-acre prescribed burn block. This northern tip of the burn block will utilize existing features such as roads and streams for control lines, thus minimizing soil disturbance. It is expected that the oak- hickory natural community would benefit from the proposed prescribed fire when considering the historic regeneration dynamics of oak-hickory dominated forest types and the important role of moderate fire in these areas.

Harvest Unit 6

Harvest Unit 6 intersects a documented significant community identified in Figure 2. DCR recommends avoidance of this community. In addition, the proposed old field habitat

enhancement area in the western portion of the Piney River MA13 area intersects a significant Northern Red Oak forest. DCR recommends avoiding the documented significant natural community during the proposed treatments.

Agency Response: The significant community identified adjacent to unit 6 will be avoided. Old field habitat maintenance activities will only occur in old field environments. Mature stands of forest will not be converted or altered.

Comment (S. René Hypes, Natural Heritage Project Review Coordinator, DCR):

Furthermore, if any portion of a harvested area is not to be allowed to re-grow to forest the proposed project will fragment Ecological Cores **(C1 and C3**) identified in the Virginia Natural Landscape Assessment (https://www.dcr.virginia.gov/natural-heritage/vaconvisvnla), one of a suite of tools in Virginia ConservationVision that identify and prioritize lands for conservation and protection.

Ecological Cores are areas of unfragmented natural cover with at least 100 acres of interior that provide habitat for a wide range of species, from interior-dependent forest species to habitat generalists, as well as species that utilize marsh, dune, and beach habitats. Cores also provide benefits in terms of open space, recreation, water quality (including drinking water protection and erosion prevention), and air quality (including carbon sequestration and oxygen production), along with the many associated economic benefits of these functions. The cores are ranked from C1 to C5 (C5 being the least ecologically relevant) using many prioritization criteria, such as the proportions of sensitive habitats of natural heritage resources they contain.

Fragmentation occurs when a large, contiguous block of natural cover is dissected by development, and other forms of permanent conversion, into one or more smaller patches. Habitat fragmentation results in biogeographic changes that disrupt species interactions and ecosystem processes, reducing biodiversity and habitat quality due to limited recolonization, increased predation and egg parasitism, and increased invasion by weedy species.

Therefore minimizing fragmentation is a key mitigation measure that will reduce deleterious effects and preserve the natural patterns and connectivity of habitats that are key components of biodiversity. DCR recommends efforts to minimize edge in remaining fragments, retain natural corridors that allow movement between fragments and designing the intervening landscape to minimize its hostility to native wildlife (natural cover versus lawns). Mapped cores in the project area can be viewed via the Virginia Natural Heritage Data Explorer, available here: http://vanhde.org/content/map.

There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity. Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

New and updated information is continually added to Biotics. Please re-submit project information and map for an update on this natural heritage information if the scope of the project changes and/or six months has passed before it is utilized.

Agency Response: Refer to the terrestrial wildlife discussion on forest fragmentation in Chapter 3 of the EA.